

FIBER TECHNOLOGIES NETWORKS, L.L.C.,	)	
	)	
Complainant,	)	
	)	
v.	)	D.T.E. 02-47
	)	
VERIZON NEW ENGLAND, d/b/a	)	
VERIZON MASSACHUSETTS,	)	
	)	
and	)	
	)	
WESTERN MASSACHUSETTS ELECTRIC CO.,	)	
	)	
Respondents.	)	
	)	

I, Wallace Short, do hereby depose and state as follows:

- 1**

Fibertech. These included 76 violations of the NESC standard that at least 40 inches of vertical space separate the lowest electrical facility and the highest communications facility where they are attached at the pole. There were also 162 instances where less than the 30 inches prescribed by the NESC separated the lowest electrical line from the highest communications line at the mid-span point between poles.

4. I also surveyed a two-mile route segment in West Springfield that is adjacent to Fibertech's route. On this two-mile route I identified 21 instances in which the facilities of NEON were closer to the electrical facilities than allowed by the NESC. (This figure includes four violations counted among the 238 I refer to in paragraph "3", above.) Of the 21 NESC violations along this route, six contravene the 40-inch rule, and 15 contravene the 30-inch rule. Also along this two-mile route, I identified three poles at which the facilities owned by NEON were attached by means of an extension arm.
5. On three occasions I have surveyed pole plant in the western Massachusetts area other than the routes to which I have referred in paragraphs "2", "3", and "4", above, in order to determine the applicable industry standards for pole construction in the region. On each occasion I readily identified numerous violations of the NESC's 40-inch and 30-inch rules. I estimate, based on my observations, that at least 15 percent of all poles in that region support facilities

that violate the NESC. In addition, I have observed that numerous poles are boxed and that extension arms are used.

I hereby sign this affidavit under penalty of perjury of the laws of the Commonwealth of Massachusetts this 15<sup>th</sup> day of January 2003.

---

Wallace Short